

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS ZACHARY PETERS,

Plaintiff,

v.

Hon. Robert J. Jonker

BRANDON WILLIAM PETERS,

Case No. 1:24-cv-01150

Defendant.

REPORT AND RECOMMENDATION

On December 23, 2024, I ordered Plaintiff to provide service information for Defendant Brandon Peters. (ECF No. 15.) In his response, Plaintiff outlined his unsuccessful attempts to locate Defendant Brandon Peters. (ECF No. 16.) In a December 13, 2024 letter directed to the Court, Plaintiff asked, “Additionally, is an address available for the defendant?” (ECF No. 13, PageID.53-54.) The Court does not have this information.

“Although Plaintiff was granted leave to proceed *in forma pauperis* and is relieved of his burden to serve process, he is nonetheless obligated to take “reasonable steps . . . to identify for the court the defendants named in the complaint.” *Byrd v. Stone*, 94 F.3d 217, 219 (6th Cir. 1996). This includes providing addresses for service. See *Williams v. McLemore*, 10 F. App’x 241, 243 (6th Cir. 2001); *see also Lee v. Armontrout*, 991 F.2d 487, 489 (8th Cir. 1993) (prison inmate bears the responsibility for providing defendants' proper addresses for Marshal's service). “Courts have upheld the dismissal of a pro se prisoner’s . . . complaint, where the plaintiff failed to provide the district court with the names and addresses of all of the defendants that the plaintiff was filing suit against.” *Herbert v. Roark*, No. 05-74754, 2006 WL 1284695, at *1 (E.D. Mich. May 9, 2006) (citing *Jaakkola v. Snyder*, No. 89-1330, 1989 WL 137855, at *1 (6th Cir. Nov. 16, 1989)). Absent

the correct address for service from Plaintiff, the Court is authorized to dismiss the action without prejudice for failure to effect service. Accordingly, I recommend that this action be **dismissed without prejudice**.

Date: January 10, 2025

/s/ Sally J. Berens

SALLY J. BERENS

U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).